

In the Drawings

There are no amendments to the drawings.

Remarks

Applicant has cancelled Claims 6, 8-16, 18 and 26-29 and added new Claims 35-58. Applicant respectfully submits that no new matter was added by the amendment, as all of the amended matter was either previously illustrated or described in the drawings, written specification and/or claims of the present application. (See, p. 5, lines 13-14 & 23-25; p. 6, lines 1-2, 6-8 & 11-20; p. 10, lines 1-12; and FIG. 3.) Entry of the amendment and favorable consideration thereof is earnestly requested.

New Claim 35 requires “a storage device positioned on said camera”, “a processor program stored on said storage device”, “a device program stored on said storage device” with a “processor receiving said processor program for programming of said processor” and “said processor receiving said device program for programming of said at least one configurable hardware device.”

New Claim 47 requires “accessing a processor program stored on the camera”, “receiving the processor program with a processor”, “programming the processor based on the processor program”, “accessing a device program”, “receiving the device program with the processor” and “programming a configurable hardware device based on the device program.”

New Claim 54 requires “a camera generating image data and having a storage device positioned thereon with a processor program stored on the storage device”, “said processor receiving said processor program from said storage device on said

camera for programming of said processor” and “said processor receiving a device program for programming of said at least one configurable hardware device.”

Applicant respectfully submits that the prior art fails to disclose or teach these limitations. For example, U.S. Patent No. 5,627,583 (“Nakamura et al.”) teaches that “[w]hen the electroendoscope A1 is connected to the camera control unit 3, circuit data is loaded from data ROM 19 into the signal processing circuit 16. Thereupon, the signal processing circuit 16 forms a processing circuit for performing optimum processing on each of the connected electroendoscopes.” (Col. 4, lines 52-58; See, FIG. 2., no connection between CPU 18 and data ROM 19.) Therefore, Nakamura et al. teaches that circuit data is loaded into signal processing circuit 16, but nowhere does it teach that CPU 18 is programmed based on a processor program received from the camera.

Nakamura et al. further teaches that “[r]esistor arrays 54 and 55 are provided within the electroendoscopes A51 and B52, respectively, to make it possible to identify the type of the endoscopes. A control CPU 56 for identifying the type of electroendoscopes, and a data ROM for prerecording circuit data corresponding to the type of the endoscope are provided within the camera control unit 53.” (Col. 7, lines 21-27; See, FIG. 6, no connection between CPU 56 and data ROM 57.) Again, Nakamura et al. fails to teach receiving a processor program from the camera that programs the processor. Nakamura et al. still further teaches in FIG. 7 a configuration in which the endoscope does not have any type of storage located therein. (See, Col. 7, line 55 – Col. 8, line 10; See *a/so*, FIG. 7.)

Accordingly, Applicant respectfully submits that nowhere does Nakamura et al. teach, disclose or suggest that a processor retrieves and executes a program located on an endoscope for configuration of the processor as required by Claims 35, 47 and 54. In fact, Nakamura et al. teaches away from this limitation as in each embodiment, it is the signal processing circuit (LCA) 16 that accesses the data ROM 19, 57. (See, FIGS. 2 and 6.) This is not an insignificant difference. For example, Nakamura et al. expressly teaches what functionality the CPU is provided to perform. For example, Nakamura et al. teaches that "CPU 18 for control purposes inputs control signals from an unillustrated front operation panel, performs communication with the light source apparatus 4, and controls various peripheral units on the basis of input control signals or the like." (Col. 5, lines 1-5.) Likewise, Nakamura et al. further teaches that "the control CPU 56 identifies the type of the electroendoscope (the type of the CCD) by resistor arrays 54 and 55 provided within the electroendoscopes." (Col. 7, lines 29-32.) Nowhere however, does Nakamura et al. teach, disclose or suggest that a processor program is stored on the endoscope, that the processor receives the processor program and is configured based on the program, and further configures the configurable device based on a received device program. The CPU of Nakamura et al. does not perform this function, nor is there any suggestion that it would be advantageous to modify the disclosure to include this limitation of the pending claims. See, e.g., MPEP 2143.01; *In re Mills*, 916 F.2d 680, 682, 16 USPQ2d 1430, 1432 (Fed. Cir. 1990) (fact that prior art "may be capable of being modified to run the way

the apparatus is claimed, there must be some suggestion or motivation in the reference to do so.”).

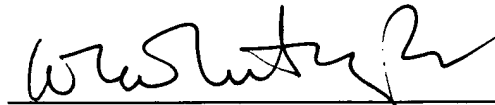
Applicant further respectfully submits that any suggestion for modification of Nakamura et al. must come from the cited art. “There must be some reason, suggestion, or motivation found in the prior art whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge can not come from the applicant's invention itself.” *In re Oetiker*, 977 F.2d, 1443, 1447 (Fed. Cir. 1992). *See also In re Vaeck*, 947 F.2d 488, 493, 20 U.S.P.Q.2d 1438, 1442 (Fed. Cir. 1991) (suggestion to combine must be found in the prior art, not the applicant's disclosure). Applicant respectfully submits that there is no reason to discard the solutions presented in Nakamura et al. to adopt the solutions presented in the pending application other than for the purpose of rejecting the presently pending claims.

Accordingly, because Nakamura et al. fails to teach, disclose or suggest a processor program stored on a storage device on a camera and that a processor receives the processor program for programming of the processor, Applicant respectfully submits that the presently pending claims cannot be obvious in view of the cited prior art.

It is respectfully submitted that Claims 35-58 are in order for allowance and early notice to that effect is respectfully requested.

Respectfully submitted,

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